

**COUNTY OF SAN DIEGO, CALIFORNIA
BOARD OF SUPERVISORS POLICY**

Subject

**Policy
Number**

Page

Legislative Policy: Self-Sufficiency Programs

M-60

1 of 10

Purpose

To establish the Board of Supervisors' legislative policy regarding issues related to welfare programs that lead to family self-sufficiency, and to provide guidance to the County's legislative representatives when advocating the County's interests to legislators, other elected officials and policy makers.

Background

The County of San Diego has been a leader in promoting reform of the welfare system with a focus on work, not welfare, program simplification, consistency in welfare administration, and opportunity for all residents to achieve self-sufficiency by taking responsibility for themselves and their dependent family members. As federal and State welfare law is reauthorized and modified, the County continues to promote these premises as a foundation to welfare system design.

The complexity of the funding relationships, mandatory program and administrative requirements, and court decisions that subvert legislative intent often contribute to local government having the least authority over programs for which they are administratively responsible. The enactment of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), the federal welfare reform legislation, began the devolution of welfare programs, divesting the federal government from much of the responsibility for design and administration of temporary assistance programs and providing state and county governments with the flexibility to develop programs that met the unique needs of their residents.

- **Federal Legislation** - Among other things, PRWORA discontinued the Aid to Families with Dependent Children (AFDC) Program, a long-standing entitlement program, and created instead the Temporary Assistance For Needy Families (TANF) Program to assist families with minor children reach self-sufficiency through severing welfare dependence. Acting primarily as a funding source, the federal government funded the program through a block grant to states, allowing them to define the actual program elements, within very broad guidelines, to achieve goals. The needs of county residents can best be met by block granting federal funds directly to local government entities. Therefore, the County of San Diego advocates for adequate federal funding levels and local authority over program structure to ensure that local needs continue to be met.
- **State Legislation** – In 1997, the California legislature enacted the Welfare-to-Work Act (AB 1542, Chapter 270, Statutes of 1997), creating the California Work Opportunity and Responsibility to Kids (CalWORKs) Program, as the TANF program for California. This legislation allocated the TANF Block Grant to counties, defining and restricting eligibility criteria, grant amounts, and program activities and requirements. The County of San Diego will continue to advocate for local flexibility to define programs that meet the needs of county residents. In the event that the County is unsuccessful in achieving maximum local flexibility, the County of San Diego will continue to work with the State Legislature and the California Department of Social Services, in the development of program eligibility requirements and regulations that are reflective of local needs of area residents.

**COUNTY OF SAN DIEGO, CALIFORNIA
BOARD OF SUPERVISORS POLICY**

Subject

**Policy
Number**

Page

Legislative Policy: Self-Sufficiency Programs

M-60

2 of 10

This legislative policy is instituted to optimize the County's ability to influence federal and State law defining CalWORKs and other temporary public assistance, or self-sufficiency programs.

Goals

The goals of the County of San Diego in promoting self-sufficiency are to:

- Promote parental responsibility and family unity;
- Increase self-sufficiency and financial independence, and ensuring rewards for individuals who are working to achieve self-sufficiency;
- Ensure that welfare assistance is temporary;
- Require work or related activities while short-term assistance is provided;
- Aggressively pursue both parents to provide financial support of their children;
- Prevent the county taxpayer from bearing an unfair burden of support;
- Establish full funding as a requirement on State and federal governments for welfare to mandates.

Policy

The legislative policy of the Board of Supervisors is to support the following key principles for achieving self-sufficiency through temporary public assistance programs:

1. Funding Levels

A. Federal (TANF)

- 1) Support legislation that will increase the federal TANF Block Grant funding level, or at a minimum, maintain current funding.
- 2) Support legislation that will increase or supplement base funding annually, utilizing a formula that considers the current rate of inflation and population increases/decreases.
- 3) Support legislation that will increase funding to provide services to the hard to employ.
- 4) Support legislation that would allow TANF Block Grant funds to be used to provide prevention services to youth at risk of future welfare dependence.

**COUNTY OF SAN DIEGO, CALIFORNIA
BOARD OF SUPERVISORS POLICY**

Subject

**Policy
Number**

Page

Legislative Policy: Self-Sufficiency Programs

M-60

3 of 10

- 5) Support legislation that would eliminate all local costs for federal welfare mandates and provides flexibility to local governments on program implementation.
- 6) Support legislation that would allow the use of block grant funds to make payments to State approved public and private job placement agencies that provide employment placement services to individuals who receive TANF.
- 7) Support legislation that would reserve unspent block grant funds, for any fiscal year, for the purpose of providing TANF in future years.
- 8) Support legislation that would provide performance-based incentives for meeting and/or exceeding TANF objectives and goals.
- 9) Support legislation that would provide federal "targeted assistance" funding for areas with high concentrations of legal immigrants.
- 10) Support legislation that would allow State funds allocated to counties for probation and child welfare Emergency Assistance activities to be counted toward the match requirements for federal TANF block grant funds.
- 11) Support legislation that would increase child care funding to:
 - (a) Support the transition to work and to assist families in work retention;
 - (b) Provide publicly subsidized child care services for "working poor" families; and
 - (c) Improve the overall quality of child care.

B. State (CalWORKs)

- 1) Support legislation that would allocate anticipated State savings resulting from federal welfare reform legislation to counties to offset any increase in county costs resulting from that legislation.
- 2) Support legislation that would implement State funding strategies that would increase and maximize flexibility of TANF funds to meet federal goals and objectives.
- 3) Support legislation that would eliminate all local costs for state welfare mandates and provide flexibility to local governments on program implementation.
- 4) Support legislation that would provide funding for training to upgrade skills for job advancement for the purpose of transitioning off public assistance.

**COUNTY OF SAN DIEGO, CALIFORNIA
BOARD OF SUPERVISORS POLICY**

Subject

**Policy
Number**

Page

Legislative Policy: Self-Sufficiency Programs

M-60

4 of 10

- 5) Support legislation that would provide full State funding for publicly subsidized child care services for “working poor” families.
- 6) Support legislation that would maintain and/or increase substance abuse screening/treatment funds to meet demand.
- 7) Support legislation that would provide incentive funds to high performing counties.

2. Program Flexibility

A. Federal (TANF)

- 1) Support legislation that would provide for local flexibility in administering the TANF program.
- 2) Support legislation that would increase State flexibility in administering the TANF program.
- 3) Support legislation that would reduce the restrictions placed on the use of incentive funds.
- 4) Support legislation that would remove the restrictions on the definition of “needy” families.
- 5) Support legislation that would allow the administration and provision of services through contracts with charitable, religious or private organizations.
- 6) Support using Social Services Block Grant funds to authorize vouchers to vendors for child’s needs when family loses aid due to TANF time limits and/or sanctions.
- 7) Support changes to the Federal Labor Standards Act (FLSA), as needed, to assure maximum achievement of full work participation obligations, as required by federal, state, and county agencies.
- 8) Support legislation that would require that foreign citizens who enter the United States illegally and remain illegally be ineligible to receive public assistance.
- 9) Support legislation that would deem a sponsor’s income and resources to the individuals that they have sponsored into the United States.
- 10) Support legislation requiring and funding stepped-up federal enforcement of immigrant sponsorship obligations.
- 11) Oppose legislation that would entitle non-qualified immigrants to State or locally funded non-emergency benefits.

**COUNTY OF SAN DIEGO, CALIFORNIA
BOARD OF SUPERVISORS POLICY**

Subject

**Policy
Number**

Page

Legislative Policy: Self-Sufficiency Programs

M-60

5 of 10

12) Support legislation that would count the resources of ineligible immigrants in determining the financial eligibility of households within which such ineligible immigrants reside.

13) Support legislation that would maintain eligibility to SSI and Food Stamps for qualified immigrants residing in the United States on or before August 22, 1996.

14) Support legislation that would require and fund the timely processing of citizenship applications.

B. State (CalWORKs)

1) Support legislation that would allow for program flexibility to counties to design and set the parameters of CalWORKs program requirements to meet local needs.

2) Support local discretion to set TANF lifetime limits for up to five years.

3) Support legislation that would set statewide minimum standards for CalWORKs eligibility and benefits.

4) Oppose legislation that is contradictory to the County's Welfare-to-Work philosophy.

5) Support legislation that would allow the use of CalWORKs funds for aid payments to otherwise eligible families up to 60 days prior to reunification of the parent(s) with a child in Child Welfare Services placement.

3. Self-Sufficiency Support Programs

A. Federal (TANF)

1) Support legislation that would allow states to provide incentives that support and sustain employability.

2) Support legislation that would provide additional funding for support services, such as child care, transportation, housing, and medical assistance.

B. State (CalWORKs)

1) Support legislation that would increase and improve access to employment incentives that support the transition from dependency to self-sufficiency. These incentives include:

(a) Earned Income Tax Credit

(b) Child Care Tax Credit

(c) Subsidized Child Care

**COUNTY OF SAN DIEGO, CALIFORNIA
BOARD OF SUPERVISORS POLICY**

Subject

**Policy
Number**

Page

Legislative Policy: Self-Sufficiency Programs

M-60

6 of 10

(d) Transitional benefits, including:

- (i) child care;
- (ii) transportation and
- (iii) medical assistance for “working poor” families.

(e) Earned Income Disregards

(f) Housing assistance

(g) Strategies to save earnings for training or to start a business

(h) Tax incentives to small businesses that provide health care coverage

- 2) Support legislation that would provide state or federal funding for medical assistance for qualified legal immigrants regardless of their date of entry into the United States.
- 3) Support legislation that would allocate a fair share of the State’s outreach funds to counties for the local promotion of Medi-Cal and Healthy Families.
- 4) Support legislation that would allow and fund for the provision of post-employment services to assist in employment retention.
- 5) Support legislation that would require federal, State and local welfare reform rules and regulations to facilitate private employers’ participation in self-sufficiency efforts by assuring that administrative requirements placed on employment providers are held to the minimum.

4. Data Collection, Evaluation, and Automation Projects

A. Federal (TANF)

- 1) Support legislation that would provide funding or allow the use of TANF Block Grant funds to collect and analyze data pertaining to caseload characteristics for use in policy decisions.
- 2) Support legislation that would require the federal government to fully fund state and local automation requirements and hold states harmless from reporting requirements and the 60-month time limit until automation in the states is compatible and access to federal data is operational.
- 3) Support a national clearinghouse to coordinate program elements such as collection of child support, imposition of sanction provisions, time limits and fraud detection.
- 4) Support federal funding above the administrative cap to allow counties to evaluate the impacts of local service delivery designs on children and families.

**COUNTY OF SAN DIEGO, CALIFORNIA
BOARD OF SUPERVISORS POLICY**

Subject

**Policy
Number**

Page

Legislative Policy: Self-Sufficiency Programs

M-60

7 of 10

- 5) Support the creation of and/or access to local, state, and national databases to track time on aid and felony warrants from other jurisdictions, and to identify persons with felony drug convictions, fleeing felons, and probation or parole violators.
- 6) Support the maximum development of automated data matches between federal, state, and county-funded programs for the purpose of independent verification of common eligibility criteria, such as income, property, residency and household composition.

B. State (CalWORKs)

Support state funding above the administrative cap to allow counties to evaluate the impacts of local service delivery designs on children and families.

5. Administrative Issues (Federal and State)

A. Work First

- 1) Support legislation that would maximize participation in work as the primary activity for TANF and CalWORKs adult recipients.
- 2) Support legislation that would allow participation in job related activities that directly reduce barriers to self-sufficiency.
- 3) Support legislation that requires work and/or job related activities for all adult recipients to the extent they are able, even if fewer hours than the state currently requires.

B. Simplification

- 1) Support legislation that would reduce the administrative costs of public assistance programs, allowing for the reinvestment of any savings in increased services and benefits to eligible children and families.
- 2) Support legislation that would simplify and streamline state and federally funded welfare, nutrition, self-sufficiency, and employer incentive programs, including:
 - (a) operating "simplified" programs using a single set of rules for CalWORKs and Food Stamps; and,
 - (b) simplifying and standardizing eligibility and benefit determination requirements.
- 3) Support legislation that would simplify and streamline state and federally funded health care programs for families, to increase access to care, including:
 - (a) simplifying and standardizing the Medi-Cal and Healthy Families programs by using a single set of rules for both programs;

**COUNTY OF SAN DIEGO, CALIFORNIA
BOARD OF SUPERVISORS POLICY**

Subject

**Policy
Number**

Page

Legislative Policy: Self-Sufficiency Programs

M-60

8 of 10

(b) allowing for categorical eligibility to health programs for individuals participating in income-equivalent public assistance programs (CalWORKs, Food Stamps, etc.).

C. Sanctions

- 1) Support legislation that would allow for the application of sanctions up to and including the denial or loss of cash benefits of the adult recipient for failure by the recipient to make adequate progress, cooperate in employment activities, comply with treatment requirements for use of controlled substances, or meet other critical program and/or employability contract requirements.
- 2) Support legislation that would call for the alignment and consistent application of eligibility prohibitions and graduated sanctions between federal and state mandated programs, with continued access to health care and a safety net for children through vendor/voucher payments and services.
- 3) Support legislation that would carry meaningful, graduated sanctions that motivate recipients to participate in Welfare to Work activities.

D. Substance Abuse

- 1) Support legislation that would require random drug testing of all recipients of temporary assistance.
- 2) Support legislation that would require drug screening of all applicants of temporary assistance.
- 3) Support legislation that would allow substance abuse screening, testing and treatment of individuals convicted of felony drug possession, use or distribution, as needed.

E. Fraud

Support legislation that is in compliance with the fraud policy of the County Board of Supervisors as specified in the Board Policy M-57: *Legislative Policy: Fraud Prevention in Medical and Public Assistance Programs* and the Board's Legislative Policy guidelines, to include support for legislation that calls for:

- 1) A national/statewide/local identification system that includes a tamper proof picture identification card with fingerprints;
- 2) Permanent sanctions for conviction of welfare fraud and intentional program violations that result in the immediate termination of benefits;
- 3) Increased verifications and longer processing timeframes to allow counties time to verify statements on applications for expedited services or immediate need;
- 4) Use of border crossing cards to determine ineligibility to assistance programs; and,

**COUNTY OF SAN DIEGO, CALIFORNIA
BOARD OF SUPERVISORS POLICY**

Subject

**Policy
Number**

Page

Legislative Policy: Self-Sufficiency Programs

M-60

9 of 10

- 5) Increased program integrity in supportive service programs (child care, transportation, housing, etc.)
- 6) Support funding to pay for citizenship documents.
- 7) Support allowing hospitals to collect citizenship documents.

F. *Child Support*

Support legislation that requires absent parents to be financially responsible for their children, including the following:

- 1) Support mandatory cooperation by applicants/recipients with paternity determination and establishment of support orders, and pursue compliance through sanction of the adult.
- 2) Support the provision of employment activities to non-custodial parents not meeting support obligations due to unemployment.
- 3) Support legislation that calls for the aggressive location of non-custodial parents who are not meeting their child support obligations, and pursue compliance or sanctions through methods such as wage garnishment, tax intercepts, attachment of benefits, withholding of licenses, and placement of liens against real or personal property.
- 4) Oppose the state option under federal Welfare Reform to continue the disregard/pass-on of the first \$50 of child support to families without federal participation in the cost.
- 5) Oppose the state option under federal Welfare Reform to enforce child support orders against paternal or maternal grandparents in cases involving minor parents.
- 6) Assist the State in developing a statewide system in order to improve operational effectiveness and eliminate federal automation penalties at earliest possible date.
- 7) Oppose the state option under federal Welfare Reform to pass through the State share of current child support to contain administrative costs.
- 8) Oppose any effort by the State to pass federal automation penalties on to the counties or local child support programs.

G. *Exchange of Information*

Support legislation that would allow the exchange of recipient information between federal, state, and local government agencies and programs for the purpose of ensuring program integrity and improving access to benefits and services.

**COUNTY OF SAN DIEGO, CALIFORNIA
BOARD OF SUPERVISORS POLICY**

Subject

**Policy
Number**

Page

Legislative Policy: Self-Sufficiency Programs

M-60

10 of 10

Responsible Departments

Chief Administrative Office

Office of Strategy and Intergovernmental Affairs

Sunset Date

This policy will be reviewed for continuance by 12-31-15.

References

Board Action 2/1/95 (26)

Board Action 3/18/97 (28)

Board Action 2/10/02 (5)

Board Action 10-31-06 (14)

Federal Welfare Reform Legislation, August 6, 1996 [41]

Federal Welfare Reform Legislation, August 20, 1996 [37]

Local Welfare Reform: Transition from Cash Aid to Family Self-Sufficiency, September 17, 1996 [8]

Federal Welfare Reform, October 22, 1996 [22]

Federal Welfare Reform, December 10, 1996 [2]

Board Action 12/09/08 (33)